



Federal Communications Commission  
Washington, D.C. 20554

December 20, 2005

**DA 05-3229**

**Released: December 20, 2005**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

LeSea Broadcasting Corporation  
WHNO(TV)  
61300 S. Ironwood Road  
South Bend, IN 46614

Re: LeSea Broadcasting Corporation  
WHNO(TV), New Orleans, LA  
Facility ID No. 37106  
File No. BRCT-20050201BKB

Dear Licensee:

This refers to your license renewal application for station WHNO(TV), New Orleans, LA.

In the Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. Sections 303a, 303b and 394, Congress directed the Commission to adopt rules, *inter alia*, limiting the number of minutes of commercial matter that television stations may air during children's programming, and to consider in its review of television license renewals the extent to which the licensee has complied with such commercial limits. Pursuant to this statutory mandate, the Commission adopted Section 73.670 of the Rules, 47 C.F.R. § 73.670, which limits the amount of commercial matter which may be aired during children's programming to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays. *Children's Television Programming*, 6 FCC Rcd 2111, 2118, *recon. granted in part*, 6 FCC Rcd 5093, 5098 (1991). The commercial limitations became effective on January 1, 1992. *Children's Television Programming*, 6 FCC Rcd 5529, 5530 (1991).

On February 1, 2005, you filed the above-referenced license renewal application for station WHNO(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WHNO(TV) failed to comply with the limitations on commercial matter in children's programming specified in Section 73.670 of the Commission's Rules. In Exhibit 19 to the renewal application, you indicate that in 2003, station WHNO(TV) exceeded the children's television commercial limits by 45 seconds on nine occasions. You attribute the overages to inadvertence and maintain that station WHNO(TV) took corrective actions to prevent further overages.

It appears that the overages in question were *de minimis* violations of the children's commercial limits. Such *de minimis* violations of Section 73.670 of the Commission's Rules are not an

impediment to a renewal of WHNO(TV)'s license. Finding you fully qualified to remain a Commission licensee, we conclude that a grant of your application for renewal of license for station WHNO(TV) would serve the public interest, convenience and necessity, and BRCT-20050201BKB IS HEREBY GRANTED.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to LeSea Broadcasting Corporation at the address listed above, and to its counsel, Joseph C. Chautin, III, Esquire, Hardy, Carey & Chautin, LLP, 110 Veterans Blvd., Suite 300 Metairie, LA, 70005.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau